

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>		Attorney Docket No.	532212002000
		First Inventor	Thomas L. CANTOR
		Title	METHODS AND KITS FOR MONITORING RESISTANCE TO THERAPEUTIC AGENTS
		Express Mail Label No.	EV 272143097 US
<b>APPLICATION ELEMENTS</b> <i>See MPEP chapter 600 concerning utility patent application contents.</i>		<b>ADDRESS TO:</b> MS Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	
1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original, and a duplicate for fee processing)</i> 2. <input checked="" type="checkbox"/> Applicant claims small entity status. 3. <input checked="" type="checkbox"/> Specification <span style="border: 1px solid black; padding: 2px;">[Total Pages 45]</span> <i>(preferred arrangement set forth below)</i> - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings <i>(if filed)</i> - Detailed Description - Claim(s) - Abstract of the Disclosure		7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program <i>(Appendix)</i> 8. Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> Paper c. <input type="checkbox"/> Statements verifying identity of above copies	
4. <input checked="" type="checkbox"/> Drawing(s) <i>(35 U.S.C. 113)</i> <span style="border: 1px solid black; padding: 2px;">[Total Sheets 3]</span> 5. Oath or Declaration <span style="border: 1px solid black; padding: 2px;">[Total Sheets 1]</span> a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application <i>(37 CFR 1.63(d))</i> <i>(for continuation/divisional with Box 18 completed)</i> i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> <i>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</i>		<b>ACCOMPANYING APPLICATIONS PARTS</b> 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <span style="border: 1px solid black; padding: 2px;">(when there is an assignee)</span> <input type="checkbox"/> Power of Attorney 11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i> 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). <i>Applicant must attach form PTO/SB/35 or its equivalent.</i> 17. <input type="checkbox"/> Other: _____	
6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76			
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No.: _____ <i>Prior application information: Examiner _____ Art Unit: _____</i> <b>For CONTINUATION or DIVISIONAL APPS only:</b> The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation <u>can only</u> be relied upon when a portion has been inadvertently omitted from the submitted application parts.			
<b>19. CORRESPONDENCE ADDRESS</b>			
<input checked="" type="checkbox"/> Customer Number: <span style="border: 1px solid black; padding: 2px;">25225</span>		OR <input type="checkbox"/> Correspondence address below	
Name	David L. Devernoe MORRISON & FOERSTER LLP		
Address			
City	State	Zip Code	
Country	Telephone	Fax	
Name (Print/Type)	David L. Devernoe	Registration No. (Attorney/Agent)	50,128
Signature			Date: September 16, 2003

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 272143097 US, in an envelope addressed to: MS Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 9/16/03Signature: Judy Bridgwater

(Judy Bridgwater)

<b>FEE TRANSMITTAL</b> <b>for FY 2003</b> <small>Effective 01/01/2003, Patent fees are subject to annual revision.</small>		<b>Complte if Known</b>																																																																																																																													
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	Not Yet Assigned																																																																																																																												
<b>TOTAL AMOUNT OF PAYMENT</b> (\$ 897.00)		Filing Date	Concurrently Herewith																																																																																																																												
		First Named Inventor	Thomas L. CANTOR																																																																																																																												
		Examiner Name	Not Yet Assigned																																																																																																																												
		Art Unit	N/A																																																																																																																												
		Attorney Docket No.	532212002000																																																																																																																												
<b>METHOD OF PAYMENT (check all that apply)</b>		<b>FEE CALCULATION (continued)</b>																																																																																																																													
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account		<b>3. ADDITIONAL FEES</b>																																																																																																																													
Deposit Account Number 03-1952 referencing 532212002000 Deposit Account Name Morrison & Foerster LLP The Director is hereby authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		<table border="1" style="width: 100%;"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65 Surcharge - late filing fee or oath</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25 Surcharge - late provisional filing fee or cover sheet.</td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130 Non-English specification</td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520 For filing a request for ex parte reexamination</td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920* Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840* Requesting publication of SIR after Examiner action</td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55 Extension for reply within first month</td></tr> <tr><td>1252</td><td>410</td><td>2252</td><td>205 Extension for reply within second month</td></tr> <tr><td>1253</td><td>930</td><td>2253</td><td>465 Extension for reply within third month</td></tr> <tr><td>1254</td><td>1,450</td><td>2254</td><td>725 Extension for reply within fourth month</td></tr> <tr><td>1255</td><td>1,970</td><td>2255</td><td>985 Extension for reply within fifth month</td></tr> <tr><td>1401</td><td>320</td><td>2401</td><td>160 Notice of Appeal</td></tr> <tr><td>1402</td><td>320</td><td>2402</td><td>160 Filing a brief in support of an appeal</td></tr> <tr><td>1403</td><td>280</td><td>2403</td><td>140 Request for oral hearing</td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510 Petition to institute a public use proceeding</td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55 Petition to revive - unavoidable</td></tr> <tr><td>1453</td><td>1,300</td><td>2453</td><td>650 Petition to revive - unintentional</td></tr> <tr><td>1501</td><td>1,300</td><td>2501</td><td>650 Utility issue fee (or reissue)</td></tr> <tr><td>1502</td><td>470</td><td>2502</td><td>235 Design issue fee</td></tr> <tr><td>1503</td><td>630</td><td>2503</td><td>315 Plant issue fee</td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130 Petitions to the Commissioner</td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50 Processing fee under 37 CFR 1.17(q)</td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180 Submission of Information Disclosure Stmt</td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40 Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>1809</td><td>750</td><td>2809</td><td>375 Filing a submission after final rejection (37 CFR 1.129(a))</td></tr> <tr><td>1810</td><td>750</td><td>2810</td><td>375 For each additional invention to be examined (37 CFR 1.129(b))</td></tr> <tr><td>1801</td><td>750</td><td>2801</td><td>375 Request for Continued Examination (RCE)</td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900 Request for expedited examination of a design application</td></tr> <tr><td colspan="4">Other fee (specify)</td></tr> <tr> <td colspan="2">*Reduced by Basic Filing Fee Paid</td> <td colspan="2">SUBTOTAL (3) (\$ 0.00)</td> </tr> </tbody> </table>		Large Entity	Small Entity	Fee Description	Fee Paid	1051	130	2051	65 Surcharge - late filing fee or oath	1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet.	1053	130	1053	130 Non-English specification	1812	2,520	1812	2,520 For filing a request for ex parte reexamination	1804	920*	1804	920* Requesting publication of SIR prior to Examiner action	1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action	1251	110	2251	55 Extension for reply within first month	1252	410	2252	205 Extension for reply within second month	1253	930	2253	465 Extension for reply within third month	1254	1,450	2254	725 Extension for reply within fourth month	1255	1,970	2255	985 Extension for reply within fifth month	1401	320	2401	160 Notice of Appeal	1402	320	2402	160 Filing a brief in support of an appeal	1403	280	2403	140 Request for oral hearing	1451	1,510	1451	1,510 Petition to institute a public use proceeding	1452	110	2452	55 Petition to revive - unavoidable	1453	1,300	2453	650 Petition to revive - unintentional	1501	1,300	2501	650 Utility issue fee (or reissue)	1502	470	2502	235 Design issue fee	1503	630	2503	315 Plant issue fee	1460	130	1460	130 Petitions to the Commissioner	1807	50	1807	50 Processing fee under 37 CFR 1.17(q)	1806	180	1806	180 Submission of Information Disclosure Stmt	8021	40	8021	40 Recording each patent assignment per property (times number of properties)	1809	750	2809	375 Filing a submission after final rejection (37 CFR 1.129(a))	1810	750	2810	375 For each additional invention to be examined (37 CFR 1.129(b))	1801	750	2801	375 Request for Continued Examination (RCE)	1802	900	1802	900 Request for expedited examination of a design application	Other fee (specify)				*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$ 0.00)	
Large Entity	Small Entity	Fee Description	Fee Paid																																																																																																																												
1051	130	2051	65 Surcharge - late filing fee or oath																																																																																																																												
1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet.																																																																																																																												
1053	130	1053	130 Non-English specification																																																																																																																												
1812	2,520	1812	2,520 For filing a request for ex parte reexamination																																																																																																																												
1804	920*	1804	920* Requesting publication of SIR prior to Examiner action																																																																																																																												
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action																																																																																																																												
1251	110	2251	55 Extension for reply within first month																																																																																																																												
1252	410	2252	205 Extension for reply within second month																																																																																																																												
1253	930	2253	465 Extension for reply within third month																																																																																																																												
1254	1,450	2254	725 Extension for reply within fourth month																																																																																																																												
1255	1,970	2255	985 Extension for reply within fifth month																																																																																																																												
1401	320	2401	160 Notice of Appeal																																																																																																																												
1402	320	2402	160 Filing a brief in support of an appeal																																																																																																																												
1403	280	2403	140 Request for oral hearing																																																																																																																												
1451	1,510	1451	1,510 Petition to institute a public use proceeding																																																																																																																												
1452	110	2452	55 Petition to revive - unavoidable																																																																																																																												
1453	1,300	2453	650 Petition to revive - unintentional																																																																																																																												
1501	1,300	2501	650 Utility issue fee (or reissue)																																																																																																																												
1502	470	2502	235 Design issue fee																																																																																																																												
1503	630	2503	315 Plant issue fee																																																																																																																												
1460	130	1460	130 Petitions to the Commissioner																																																																																																																												
1807	50	1807	50 Processing fee under 37 CFR 1.17(q)																																																																																																																												
1806	180	1806	180 Submission of Information Disclosure Stmt																																																																																																																												
8021	40	8021	40 Recording each patent assignment per property (times number of properties)																																																																																																																												
1809	750	2809	375 Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																												
1810	750	2810	375 For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																												
1801	750	2801	375 Request for Continued Examination (RCE)																																																																																																																												
1802	900	1802	900 Request for expedited examination of a design application																																																																																																																												
Other fee (specify)																																																																																																																															
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$ 0.00)																																																																																																																													
**or number previously paid, if greater. For Reissues, see above																																																																																																																															

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	David L. Devernoe	Registration No. (Attorney/Agent)	50,128
Signature	 Date September 16, 2003		

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 272143097 US, in an envelope addressed to: MS Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 9/16/03 Signature:  (Judy Bridgwater)

Application No. (if known):

Attorney Docket No.: 532212002000

## **Certificate of Express Mailing Under 37 CFR 1.10**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV 272143097 US in an envelope addressed to:

MS Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on September 16, 2003  
Date



Signature

Judy Bridgwater  
Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Application Data Sheet